

**THE REVISED SCHOOL CODE (EXCERPT)**

**Act 451 of 1976**

Part 31

SPECIAL EDUCATION PROGRAMS AND SERVICES; LOCAL SCHOOL BOARDS

**380.1751 Special education programs and services of local school district.**

Sec. 1751.

(1) The board of a local school district shall provide special education programs and services designed to meet the individual needs of each student with a disability in its district on record under section 1711 for whom an appropriate educational or training program can be provided in accordance with the intermediate school district special education plan, in either of the following ways or a combination thereof:

(a) Operate the special education program or service.

(b) Contract with its intermediate school board, another intermediate school board, another local school district board, an adjacent school district board in a bordering state, the Michigan schools for the deaf and blind, the department of health and human services, or any combination thereof, for delivery of the special education programs or services, or with an agency approved by the superintendent of public instruction for delivery of an ancillary professional special education service. The intermediate school district of which the local school district is constituent shall be a party to each contract even if the intermediate school district does not participate in the delivery of the program or services.

(2) A local school district contract for the provision of a special education program or service shall provide specifically for:

(a) Special education buildings, equipment, and personnel necessary for the operation of the subject program or service.

(b) Transportation or room and board, or both, for persons participating in the programs or services as required under sections 1756 and 1757.

(c) The contribution to be made by the sending local school district if the program or service is to be operated by another party to the contract. The contribution shall be in accordance with rules promulgated by the superintendent of public instruction.

(d) Other matters the parties consider appropriate.

(3) Each program or service operated or contracted for by a local school district shall be in accordance with the intermediate school district's plan established pursuant to section 1711.

(4) A local school district may provide additional special education programs and services not included in, or required by, the intermediate school district plan.

(5) This section shall be construed to allow operation of programs by departments of state government without local school district contribution.

**History:** 1976, Act 451, Imd. Eff. Jan. 13, 1977 ;-- Am. 2008, Act 1, Imd. Eff. Jan. 11, 2008 ;-- Am. 2016, Act 532, Eff. Apr. 9, 2017

**Popular Name:** Act 451

**Admin Rule:** R 340.1806 of the Michigan Administrative Code.

**380.1752 Programs or services to student with disability; responsibility for due process hearing costs.**

Sec. 1752.

Beginning July 1, 2006, the board of a local school district or other public agency responsible for providing programs or services under this act to a student with a disability is responsible for 75% of the costs of providing a due process hearing pursuant to R 340.1882 of the Michigan administrative code.

**History:** Add. 2006, Act 186, Imd. Eff. June 19, 2006 ;-- Am. 2008, Act 1, Imd. Eff. Jan. 11, 2008

**Popular Name:** Act 451

### **380.1756 Transportation.**

Sec. 1756.

The board of a local school district shall provide by contract or agreement for the transportation of a student with a disability who would otherwise be unable to participate in an appropriate special education program or service operated or contracted for by the local school district under section 1751, except for a student with a disability in residence at facilities operated by the department of community health or the department of human services. The board of a school district may provide for weekend transportation of a student with a disability in residence at the Michigan schools for the deaf and blind.

**History:** 1976, Act 451, Imd. Eff. Jan. 13, 1977 ;-- Am. 2008, Act 1, Imd. Eff. Jan. 11, 2008

**Popular Name:** Act 451

### **380.1757 Room and board generally.**

Sec. 1757.

The board of a local school district shall provide by contract or otherwise for the room and board of a student with a disability who would otherwise be unable to participate in an appropriate special education program or service operated or contracted for by the local school district board pursuant to section 1751, except those operated by the Michigan schools for the deaf and blind, the department of community health, or the department of human services.

**History:** 1976, Act 451, Imd. Eff. Jan. 13, 1977 ;-- Am. 2008, Act 1, Imd. Eff. Jan. 11, 2008

**Popular Name:** Act 451

### **380.1761 Room and board; reimbursement.**

Sec. 1761.

The board of a local school district shall not solicit nor seek reimbursement from a student with a disability or another person otherwise liable for the care of the student with a disability for cost of a special education program or service attributable to the expense for room and board. The board of a local school district shall have the right to reimbursement for room and board in an amount which may be paid reasonably by the person in accordance with rules promulgated by the superintendent of public instruction.

**History:** 1976, Act 451, Imd. Eff. Jan. 13, 1977 ;-- Am. 2008, Act 1, Imd. Eff. Jan. 11, 2008

**Popular Name:** Act 451

**Admin Rule:** R 340.1701 et seq. of the Michigan Administrative Code.

### **380.1766 Repealed. 2016, Act 429, Imd. Eff. Jan. 4, 2017.**

**Compiler's Notes:** The repealed section pertained to employment of additional personnel to implement special education programs and services.